

**ALTUS CITY COUNCIL MEETING
MINUTES
FEBRUARY 16, 2016**

1. CALL TO ORDER

The City Council of Altus, Jackson County met in regular session Tuesday, February 16, 2016 at 6:56 p.m. in the City Council Chambers of City Hall. Notice of the meeting was duly filed and posted in the office of the City Clerk, February 12, 2016 at 1:52 p.m.

Mayor Jack Smiley called the meeting to order.

2. ROLL CALL

Attendee Name	Present	Absent	Late	Arrived
Rick Henry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Perry Shelton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Dwayne E. Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Doyle Jencks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Jason Winters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Jon Kidwell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Kevin McAuliffe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Chris Riffle	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Jack Smiley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Others Present: Larry Shelton, Catherine Coke, Matt Wojnowski, Jan Neufeld, Debbie Davis, Tim Murphy, Linda Walker, Sharon Sutton, Johnny Barron, Kyle Davis, Freddy Perez, Ken Pike, Mike Villareal, Barbara Burleson, Janice Berryhill, Tracy Sullivan, Officer Rusty Williams, Keith Marple, CenterPoint Energy families, Grant Kincannon and other public.

3. COMMENTS FROM THE AUDIENCE

Keith Marple with CenterPoint Energy introduced himself and stated that he was born and raised in Altus but now works out of Lawton. He stated that several of the employees from CenterPoint Energy live in this community and he wanted the Council to see the employees and families that support CenterPoint Energy. He introduced Jeff Steely as the manager throughout areas of Oklahoma and Brian Overfield as the local supervisor. There are about 10 families in this area that contribute to other areas within the City.

4. CONSENT AGENDA

A. APPROVE MINUTES FOR THE ALTUS CITY COUNCIL REGULAR MEETING ON FEBRUARY 2, 2016.

B. RECEIVE AND ACKNOWLEDGE RECEIPT OF CLAIMS LIST

Minutes Acceptance: Minutes of Feb 16, 2016 6:30 PM (Minutes Approval)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kevin McAuliffe, Councilman
SECONDER:	Jon Kidwell, Councilman
AYES:	Henry, Shelton, Martin, Jencks, Winters, Kidwell, McAuliffe, Riffle, Smiley

5. CONSIDER, DISCUSS AND VOTE TO APPROVE THE DEFERRED PAYMENT PLAN FOR DELINQUENT UTILITY BILLS AS OUTLINED IN ATTACHED "PAST DUE LETTER"

Motion was made to approve a Deferred Payment Plan for Delinquent Utility Bills. The options given to the utility customers were (1) Pay entire bill (2) Pay 10% of past due amount plus the current bill before the due date.

Failure to comply will result in services being terminated without further notice.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dwayne E. Martin, Councilman
SECONDER:	Rick Henry, Councilman
AYES:	Henry, Shelton, Martin, Jencks, Winters, Kidwell, McAuliffe, Riffle, Smiley

6. CONSIDER, DISCUSS AND VOTE TO APPROVE A REVISED LEASE AGREEMENT WITH LUIGI'S RESTAURANT LOCATED AT THE GREENS OF ALTUS, CITY GOLF COURSE; WITH CITY TO LEASE THE BALL ROOM AND FIRESIDE ROOM; REVISING THE MONTHLY LEASE PAYMENT TO BE \$1000; CHANGING THE SALE OF BEER PROVISIONS; OR TAKE ANY OTHER APPROPRIATE ACTION.

This item presented by Matt Wojnowski, Assistant City Manager

The City will be taking over the Ball Room and Fireside Room and reducing the rental rate to \$1000 per month.

Catherine stated that two corrections need to be made in the written Lease. (1) Luigi's restaurant is closed on both Sunday and Monday (2) The repairs mentioned were from a previous lease and have been taken care of.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dwayne E. Martin, Councilman
SECONDER:	Perry Shelton, Councilman
AYES:	Henry, Shelton, Martin, Jencks, Winters, Kidwell, McAuliffe, Riffle, Smiley

7. CONSIDER, DISCUSS AND VOTE TO APPROVE RESOLUTION NO. 2016-04 APPOINTING THE POSITION OF ASSISTANT CITY MANAGER TO SERVE ON THE ELECTION COMMITTEE (Board of Directors) OF THE OKLAHOMA MUNICIPAL POWER AUTHORITY (OMPA) OR TAKE ANY OTHER APPROPRIATE ACTION.

This item presented by Mayor Smiley.

Resolution 2016-04 was approved, appointing the Position of Assistant City Manager to serve on the Election Committee (Board of Directors) of the OMPA. Drake Rice, a representative from OMPA stated the term was for 3 years but could be changed at any time.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jon Kidwell, Councilman
SECONDER:	Chris Riffle, Councilman
AYES:	Henry, Shelton, Martin, Jencks, Winters, Kidwell, McAuliffe, Riffle, Smiley

8. CONSIDER, DISCUSS AND VOTE TO APPROVE RESOLUTION NO. 2016-05 AUTHORIZING OMPA FILING OF APPLICATIONS WITH THE FEDERAL REGULATORY COMMISSION (FERC) ON BEHALF OF THE CITY OF ALTUS, A MEMBER CITY OF OMPA FOR WAIVERS UNDER PURPA (PUBLIC UTILITY REGULATORY POLICIES ACT OF 1978) OR TAKE ANY OTHER APPROPRIATE ACTION

This agenda item presented by Drake Rice, OMPA Representative

Resolution 2016-05 authorized OMPA filing of Applications with the Federal Regulatory Commission on behalf of the City of Altus, a member city of OMPA for waivers under PURPA (Public Utility Regulatory Policies Act of 1978).

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Perry Shelton, Councilman
SECONDER:	Jason Winters, Councilman
AYES:	Henry, Shelton, Martin, Jencks, Winters, Kidwell, McAuliffe, Riffle, Smiley

9. CONSIDER, DISCUSS AND VOTE TO APPROVE 1) ORDINANCE NO. 2016-01 ADDING SECTION 28-92.5 FIRE HYDRANT METER RENTAL CONTRACT TO THE ALTUS CODE OF ORDINANCES, AND 2) CITY OF ALTUS FIRE HYDRANT METER RENTAL CONTRACT FORM, RELATED TO THE CURRENT PRACTICE OF SELLING WATER FROM METERED FIRE HYDRANTS; OR TAKE ANY OTHER APPROPRIATE ACTION.

This item presented by Johnny Barron, City Engineer

Ordinance 2016-01 as amended was approved adding a section for Fire Hydrant Rental with a contract in which a company will have to deposit \$2,000 for water usage and it was suggested that it be stated as “for the water used at a minimum cost for a 1000 gallons as provided in the rental contract.”

It was mentioned that the meters will be installed and connected to the fire hydrant by the City employees. Training will be given by the Altus employees. The contractors will be liable for damages.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dwayne E. Martin, Councilman
SECONDER:	Jason Winters, Councilman
AYES:	Henry, Shelton, Martin, Jencks, Winters, Kidwell, McAuliffe, Riffle, Smiley

10. CONSIDER, DISCUSS AND VOTE TO INQUIRE INTO THE FINANCE DEPARTMENT AND INVESTIGATE MUNICIPAL AFFAIRS AS AUTHORIZED BY ARTICLE II, COUNCIL POWERS, SECTION 7(E) OF THE CITY'S CHARTER; AND/OR TAKE ANY OTHER APPROPRIATE ACTION.

This item presented by Mayor Smiley

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dwayne E. Martin, Councilman
SECONDER:	Jon Kidwell, Councilman
AYES:	Henry, Shelton, Martin, Jencks, Winters, Kidwell, McAuliffe, Riffle, Smiley

11. VOTE TO GO INTO EXECUTIVE SESSION

Went into Executive Session at 7:35 p.m.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rick Henry, Councilman
SECONDER:	Perry Shelton, Councilman
AYES:	Henry, Shelton, Martin, Jencks, Winters, Kidwell, McAuliffe, Riffle, Smiley

EXECUTIVE SESSION ITEM(S):

12. CONSIDERATION AND POSSIBLE ACTION REGARDING THE HOLDING OF AN EXECUTIVE SESSION REGARDING CONFIDENTIAL COMMUNICATIONS BETWEEN THE CITY COUNCIL AND ITS LEGAL COUNSEL REGARDING PENDING LITIGATION, JACKSON COUNTY DISTRICT COURT, CASE NO. CJ-2013-144, CITY OF ALTUS, ET AL. VS. GLENN BRIGGS & ASSOCIATES, INC., ET AL. IF THE COUNCIL, THE PUBLIC BODY, WITH THE ADVICE OF ITS ATTORNEY, DETERMINES THAT DISCLOSURE WILL SERIOUSLY IMPAIR THE ABILITY OF THE PUBLIC BODY TO CONDUCT THIS PENDING LITIGATION OR PROCEEDING IN THE PUBLIC INTEREST, AS AUTHORIZED BY TITLE 25, SECTION 307 (B)(4) OF THE OKLAHOMA STATUTES, AND IN OPEN SESSION VOTE TO APPROVE THE APPOINTMENT OF DWAYNE MARTIN, CITY OF ALTUS COUNCIL MEMBER WARD IV, OR ANOTHER SOLE COUNCIL MEMBER, AS REPRESENTATIVE AND LIAISON FOR THE CITY COUNCIL FOR ANY AND ALL MATTERS PERTAINING TO THIS PENDING LAWSUIT, OR TAKE ANY OTHER APPROPRIATE ACTION.

Executive Session ended at 7:46 p.m.

13. CONSIDER IN OPEN SESSION ANY MOTIONS AND VOTES RELATING TO THE EXECUTIVE SESSION ITEM(S).

Motion made by WINTERS and seconded by KIDWELL to approve item #12 as written.

AYE: Shelton, Jencks, Henry, McAuliffe, Kidwell, Martin, Riffle, Winters, Smiley.

NAY: None

Motion carried 9-0

14. REVIEW, DISCUSS AND POSSIBLE ACTION ON OTHER NEW BUSINESS, IF ANY, WHICH HAS ARISEN SINCE THE POSTING OF THE AGENDA AND WHICH COULD NOT HAVE BEEN REASONABLY FORESEEN PRIOR TO POSTING OF THE AGENDA. (25 O.S.A. SECTION 3 -111 (9))

None

15. ADJOURN 7:50 P.M.

Jack Smiley, Mayor

Debbie Davis ,Clerk/Treasurer